



CITY OF SAN JOSÉ, CALIFORNIA

COUNCILMEMBER PIERLUIGI OLIVERIO
COUNCIL DISTRICT 6

January 21, 2009

Dear Neighbors,

I want to invite you to a meeting that I am hosting regarding a proposed development located on Coe Avenue between Bird Avenue and Lincoln Avenue on the former Union Pacific Railroad right of way.

Date: Wednesday, February 4, 2009
Location: Willows Community Center 2175 Lincoln Avenue Room 6
Time: 7:00 PM to 8:00 PM

As you know, the Union Pacific Railroad ceased its rail line approximately seven years prior to my taking office. As a result, the private property has been up for sale for over seven years. Although the City has expressed interest in making the former rail line a trail; the City did not move forward in acquiring any part of the land until last year when my memo (enclosed), approved by the entire City Council in September 2008, directed city staff to move forward in purchasing some of the Union Pacific property within the boundary of Los Gatos Creek and Highway 87. The City is continuing those discussions, however, the City does not have enough money to acquire all the land the railroad vacated, therefore, Union Pacific has a legal right to sell the parcels to private developers.

I met with developers, Asante Real Estate, on Wednesday, January 14, 2009. At this meeting, Asante shared with me that they have purchased the property (listed above) and that they intend to build quality homes that fit the character of homes that already exist in Willow Glen. In addition, their plans include facilitating the completion of the Willow Glen Spur-West portion that will eventually connect to the Los Gatos Creek Trail. Although I would have preferred that the City of San Jose purchase the land when the railroad ceased operations in the early 2000's, I am pleased that the developer has made a commitment to honor the City of San Jose's intention to ensure that any homes built on this property will include a trail and the homes built blend with the existing neighborhood.

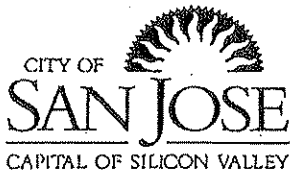
The current proposed plans that were shared with me include two separate parcels divided by Coe Avenue. The first parcel is located between Broadway Avenue and Coe Avenue with current plans for seven homes. The four that will face Leona Court are currently designed to be one story, 1400sq. ft. Spanish bungalow style homes. The two homes facing Riverside Court and the last property on Broadway Avenue are currently designed to be two stories, 2300sq. ft. craftsmen quality homes built with the intent of matching the character of homes in Willow Glen, according to the developer. The second parcel is proposed for seven homes total. These homes have also been designed to be two stories, 2300sq. ft. craftsman quality homes. These homes will be accessed through a private drive.

The developers have included designing and building approximately 1000 linear feet of trail that will interconnect existing trails creating a readily accessible trail system.

This community meeting is not mandatory; I have asked the developer to hold this public meeting on my behalf. As you probably know, I grew up in Willow Glen; living here now for over 30 years. I have been passionate about the Willow Glen Spur Trail for quite some time and support Mayor Reeds Green Vision of interconnectivity of trails throughout the City of San Jose. If you have any questions/comments prior to the meeting, please contact me at pierluigi.oliverio@sanjoseca.gov or 408-535-4952. I look forward to seeing you at the meeting.

Warm Regards,

Pierluigi Oliverio
Pierluigi Oliverio, District 6, City of San Jose



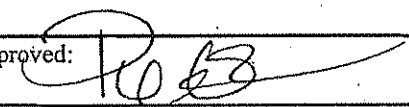
Memorandum

TO: Rules and Open Government
Committee

FROM: Councilmember Pierluigi Oliverio

SUBJECT: SEE BELOW

DATE: September 28, 2007

Approved: 

Date: 9/28/07

RECOMMENDATION

I respectfully ask that the San Jose City Council direct city staff to move forward in negotiating a final price within the available project budget and purchasing the land that is for sale from Union Pacific between the boundary of Los Gatos Creek and Highway 87 that has been identified in the Greenprint for the Willow Glen Spur Trail.

BACKGROUND

In 2000, the Union Pacific Railroad (UPRR) ceased its rail line operation between Los Gatos Creek and Senter Road (near Happy Hollow Park). In an effort to provide trail and park space in San Jose, the City Council adopted the Greenprint in September 2000. The document defined a trail alignment linking Los Gatos Creek, Guadalupe River and Coyote Creek.

In 2002, the City of San Jose was given the "first right of refusal" letter from the property owner which would have allowed the City to move forward in purchasing the land owned by Union Pacific if funding was immediately available. Funds were not available at that time so the City did not purchase the property.

Since 2002, the City of San Jose has been aggressively looking for funding sources for the purchase of parcels to permit the future development of the Willow Glen Spur Trail. In addition to seeking grants, this includes the City Council recently adopting revisions to the Parks Trust Fund ordinance to make trail acquisition an allowable use of this funding. At the same time, soil testing has occurred, and coordination with UPRR has taken place to define required remediation for anticipated land uses. The City has also worked with private developers that have, or have sought to acquire parcels, to ensure that sufficient right of way is reserved for a continuous trail alignment whenever feasible.

Currently, Union Pacific is requesting over \$20 Million for its property between Los Gatos Creek Trail through Happy Hollow Park. The City does not have this amount of money to spend; however, through various sources, the City has approximately \$4 Million identified which could be allocated to the Willow Glen Spur project. On top of this, the City has been awarded a grant of \$2 Million from the County of Santa Clara that can be used as a 25% matching source for the project.

In addition to the County grant, the City funding sources include \$621,000 from the Parks Trust Fund and \$300,000 from Council District 6 Construction & Conveyance (C&C) Tax Funds. Additional funding sources include a \$300,000 grant from the Santa Clara Valley Water District (SCVWD), an \$800,000 State Proposition 40 grant, and \$2 Million of grants from the Open Space Authority. These funds can and should be made available quickly to proceed with the purchase of various pieces of land between Los Gatos Creek and Highway 87. Following the negotiation of the final purchase price, any project savings should be allocated back to the C&C and/or Park Trust Funds.

The City of San Jose has committed and continues to move forward in acquiring land for park and trail use. The subject and discussions of the Willow Glen Spur trail have been in process now for over seven years. It is time to move forward in beginning the process of purchasing the pieces of land with the money that we have allocated to the Willow Glen Spur Trail. Although we do not have the full funding to buy all of the land at a cost of \$20 million, we do have a reasonable amount to purchase major portions of the trail to continue the walkable and livable community San Jose strives to be. The amount of money available should be used towards the purchase of parcels between Los Gatos Creek and Highway 87 because these permit linkage between the existing Los Gatos Creek Trail and future extension of the Guadalupe River Trail.

Staff from the Administration and City Attorney's Office should also review and report to the City Council with recommendations to improve the City's trail planning process. I understand that we have traditionally been limited to "master planning" properties that the City owns or otherwise controls, which in cases like Willow Glen Spur, limits our ability to engage the community in substantive discussion of the functional and financial viability of a trail. The City of San Jose is a leader in trail development, and we should look to ways to improve our planning for the future.

The current status of the Willow Glen Spur Trail is as follows:

1). Los Gatos Creek to Broadway Avenue.

A broker and developer are considering development of residential homes. The land is already zoned for this type of development. The broker has sought to accommodate the City's desire for a trail by indicating a 10' wide pathway along the proposed roadway/driveway between Coe Avenue and Los Gatos Creek. The same broker is proposing a 6' wide attached sidewalk along Leona Court, with a 10' wide pathway providing access between the cul-de-sac's terminus and Broadway Avenue. However if the broker wishes to build more homes than what is currently zoned, then he/she would have to obtain a Planned Development (PD) permit to build more homes and the City would have the option to have the trail be part of the PD.

2). Broadway Avenue to Willow Street.

This parcel is currently for sale and is bounded by residential properties. The acreage for this parcel is approximately 1.46 acres (63,522 sf). Staff should negotiate a final purchase price with UPRR for this property.

3). Willow Street and Bird Avenue.

This parcel is too small and not needed to complete the trail.

4). Bird Avenue to Minnesota Avenue.

This parcel is currently for sale and runs along residential housing. The acreage for this parcel is approximately 2.84 acres (123,705 sf). Staff should negotiate a final purchase price with UPRR for this property.

5). Minnesota Avenue to Guadalupe River.

The piece of property has been sold to Pulte Homes. Construction of 13 homes is underway. The project includes a trail and landscaping improvements along Hervey Lane, with a 10 foot pathway leading to a point near the Guadalupe River. This alignment permits future extension of the trail.

6). Guadalupe River

PRNS to work with Army Corps of Engineers and SCVWD to ensure that the existing bridge is recognized as part of a trail system, and must be replaced or preserved with future flood control improvements. At this time, it is not clear what action is required by the City, but purchase of the structure and underlying property may not be necessary.

7). Guadalupe River to Highway 87.

This area is part of the Taimen Area Specific Plan and is directly adjacent to the Elks Lodge property. If the railway property has been secured by the current owner, and high density housing is proposed – PBCE will be able to condition the development of the trail because of the anticipate high number of residential units.

8). Highway 87

PRNS staff to work with Caltrans to determine feasibility of securing a right of way easement beneath the highway structure and development of a ramping system to gain access to the Highway 87 Bikeway. This improvement would be consistent with the community's request for similar access from Alma Avenue. The City Council required the developer of the Tamien Tower project to provide funding for a feasibility study.

7). Highway 87 to Happy Hollow Park/Coyote Creek.

The area between Highway 87 and Happy Hollow Park is primarily zoned industrial. Moving forward with a trail in this area will need to be reviewed with the Police Department, Planning, Caltrans, Department of Transportation, business along the path and possible other entities. Major challenges presented by this alignment include: development of a pedestrian bridge to span active railway near Highway 87, mitigation of privacy issues for residences along a future pedestrian bridge, mid-block crossings at Monterey Highway, 7th and 10th streets, safety concerns with trail development industrial development.

The City may wish to consider acquiring a narrow strip of land along all parcels to permit a continuous trail at some point in the future. But this approach would require that future adjacent development have appropriate set back and visibility so that trail does not become an alley way with no intermediate points of escape.

This memo has been coordinated with the City Managers office and Parks, Recreation and Neighborhood Services.

**Willow Glen Spur Trail Update
(As of January 21, 2009)**

Dear Neighbors,

Please find the most current information regarding the various portions (Lonus Street to the Story Road/Keyes/280 area) of the Willow Glen Spur Trail below. I hope you find this information helpful and informative.

Lonus Street to Los Gatos Creek

- **Current zoning:** Light Industrial
- **General Plan designation:** Medium High Density Residential (12-25 DU/AC) (Please note that DU/AC is defined as Dwelling Units (DU) per Acre (AC) and this acronym will be used throughout this document).
- The City of San Jose has conducted a soil analysis, and reported the findings to the State of California.
- The Department of Toxic Substance Control and Union Pacific Railroad are developing a site remediation plan.

Current Status: The City of San Jose has secured an easement as part of Los Gatos Creek Reach 4 for a future trail connection.

Los Gatos Creek to Coe Avenue

- **Current zoning:** R-1-8 Single Family Residence District
- **General Plan designation:** Medium Low Density Residential (8 DU/AC)
- The City of San Jose has conducted a soil analysis and reported the findings to the State of California.
- The Department of Toxic Substance Control and Union Pacific Railroad are developing a site remediation plan.
- A private developer is negotiating with Union Pacific Railroad to purchase this land.
- No proposal has been formally received by the City.

Current Status: Conceptual plans will be submitted for a housing development that includes a trail from Los Gatos Creek to Coe Avenue and a widened sidewalk and path from Coe Avenue to Broadway.

Coe Avenue to Broadway Avenue

- **Current zoning:** R-1-8 Single Family Residence District
- **General Plan designation:** Medium Low Density Residential (8 DU/AC)
- The City of San Jose has conducted a soil analysis and reported the findings to the State of California.
- The Department of Toxic Substance Control and Union Pacific Railroad are developing a site remediation plan.
- A private developer is negotiating with Union Pacific Railroad to purchase this land.
- No proposal has been formally received by the City.

Current Status: Conceptual plans will be submitted for a housing development that includes a trail from Los Gatos Creek to Coe Avenue and a widened sidewalk/path from Coe Avenue to Broadway.

Broadway Avenue to Willow Street/ Bird Avenue

- **Current zoning:** R-1-8 Single Family Residence District, a Planned Development (PD) Zoning District, and CN Commercial Neighborhood
- **General Plan designation:** Medium Low Density Residential (8 DU/AC), Office and General Commercial
- The City of San Jose conducted a soil analysis and reported the findings to the State of California.
- The Department of Toxic Substance Control and Union Pacific Railroad are developing a site remediation plan.
- The City is seeking to acquire the entire parcel.

Current Status: The City of San Jose is in active negotiations with Union Pacific Railroad to acquire these parcels for future trail development.

Willow Street/Bird Avenue to Minnesota Avenue

- **Current zoning:** R-1-8 Single Family Residence District, A (PD) Planned Development Zoning District, and Commercial Neighborhood (CN).
- **General Plan designation:** Medium Low Density Residential (8 DU/AC), Medium Density Residential (8-16 DU/AC), and General Commercial
- The City of San Jose has conducted a soil analysis and reported the findings to the State of California.
- The Department of Toxic Substance Control and Union Pacific Railroad are developing a site remediation plan.
- The City is seeking to acquire the entire parcel.

Current Status: The City of San Jose is in active negotiations with Union Pacific Railroad to acquire these parcels for future trail development.

Minnesota Avenue to Guadalupe River

- **Current zoning:** CP Commercial Pedestrian and A(PD) Planned Development Zoning District
- **General Plan designation:** Medium High Density Residential (12-25 DU/AC), and Medium Low Density Residential (8 DU/AC)
- The trail and pathway were constructed as part of a Hervey Lane housing development.
- The trail is 10ft wide with trees from Minnesota Avenue to the entry to the development.
- The pathway is 6ft wide along the development roadway.
- An easement is secured for a future connection to the Guadalupe River Trail and the bridge is secured.

Current Status: The housing development is complete and includes a trail and pathway. An easement for a future connection to the Guadalupe River Trail is open to the public.

Guadalupe River

- **Current zoning:** A(PD) Planned Development Zoning District and Light Industrial
- **General Plan designation:** Public Park and Open Space
- The City is coordinating with Santa Clara Valley Water District and Army Corps of Engineers to preserve bridge access.

Current Status: The Santa Clara Valley Water District has confirmed that the bridge will remain in place with the planned flood control project. This section can support future trail access.

Guadalupe River to Highway 87

- **Current zoning:** Light Industrial
- **General Plan designation:** Transit Corridor Residential (25-55 DU/AC), per the Tamien Specific Plan
- Building the trail may be a condition of future housing development.
- The City is coordinating with Caltrans to secure an easement and include a ramp to the Highway 87 bikeway.

Current Status: The City will monitor any possible future development of the "Elk's Club" site. Trail development could be a condition of this development. Caltrans appears to be supportive of a trail beneath Highway 87 and a ramp leading to the bikeway at this time.

Highway 87 to Almaden Expressway

- **Current zoning:** Heavy Industrial
- **General Plan designation:** Medium High Density Residential (12-25 DU/AC), and High Density Residential (25-40 DU/AC),
- An at-grade crossing appears infeasible.
- The potential for an elevated pedestrian bridge is unknown: the future impacts of high speed rail's elevated structure are unknown.

Current Status: The focus group ("focus group" comprised of city staff, county and two community members looking at the current options of the Willow Glen Spur Trail) who is addressing challenges with alignment. A pedestrian bridge is contemplated to span existing and future railway.

Almaden Expressway to Pomona Avenue

- **Current zoning:** Heavy Industrial and Light Industrial
- **General Plan designation:** High Density Residential (25-40 DU/AC), Light Industrial and Heavy Industrial
- An adjacent property owner has purchased land and obtained approval for expanding the parking facility.

Current Status: The focus group is addressing challenges with alignment. Compatible uses, confined space and street crossings need to be addressed. There is potential for expansion of Bellevue Park.

Pomona Avenue to Monterey Highway

- **Current zoning:** Heavy Industrial and Light Industrial
- **General Plan designation:** Heavy Industrial and General Commercial
- The City recently developed Bellevue Park.
- There is no current funding for expansion.
- This section of the trail is discontinuous and leads to mid-block crossing at Monterey Highway.

Current Status: The focus group is addressing challenges with alignment. Compatible uses, confined space and street crossings need to be addressed. There is potential for expansion of Bellevue Park.

Monterey Highway

- The mid-block crossing does not align with nearby traffic signal.
- Adding a signalized crossing is likely infeasible due to the impacts to signal progression.

Current Status: The focus group is addressing challenges with alignment. Compatible uses and street crossings need to be addressed.

Monterey Highway to Seventh Street

- **Current zoning:** Heavy Industrial and Light Industrial
- **General Plan designation:** General Commercial, Combined Industrial / Commercial, and Heavy Industrial
- This section is adjacent to industrial uses.
- There is no opportunity for "eyes" on the trail.
- There is a mid-block crossing at Seventh Street.

Current Status: The focus group is addressing challenges with alignment. Compatible uses and street crossings need to be addressed.

Seventh Street to Tenth Street

- **Current zoning:** Heavy Industrial
- **General Plan designation:** Heavy Industrial
- This section is adjacent to industrial uses.
- There is no opportunity for "eyes" on the trail.
- There is a mid-block crossing at Tenth Street.

Current Status: The focus group is addressing challenges with alignment. Compatible uses and street crossings need to be addressed.

Tenth Street to Senter Road

- **Current zoning:** R-2 Two-Family Residence District, and Heavy Industrial
- **General Plan designation:** Public / Quasi-Public and Heavy Industrial
- This section is adjacent to industrial uses.
- There is no opportunity for "eyes" on the trail.
- Alignment could lead to a signal at the intersection of Alma Avenue and Senter Road.

Current Status: The focus group is addressing challenges with alignment. City will work with future developers to include a trail.

Senter Road

- **Current zoning:** R-2 Twp-Family Residence District, R-M Multiple Residence District and A(PD) Planned Development Zoning District
- **General Plan designation:** Public / Quasi-Public, Medium Density Residential (8-16 DU/AC), and General Commercial
- The South Campus planning effort is underway.
- There is potential for a walking circuit and a link to sports fields.
- A pedestrian path along Kelley Park frontage already exists.

Current Status: The City is not considering the parcel from Alma Ave to Story/Keyes because an existing pathway along the Kelley Park frontage.

Story/Keyes to 280

- **Current zoning:** R-1-8 Single Family Residence District
- **General Plan designation:** Public Park and Open Space
- This section is a high priority for City acquisition.
- This section serves as a secondary access route to the Coyote Creek Trail.
- This section links the Spartan Keyes Strong Neighborhood Initiative (SNI) area to Selma Olinder Park and a future dog park.

Current Status: No information is available at this date.

Alma Avenue Corridor: The Focus Group is considering mid- and long- term plans to better serve pedestrians and bicycles along this roadway. The roadway leads to a number of special events sites.

If you have further questions, comments or concerns, please contact me at Pierluigi.oliverio@sanjoseca.gov or by phone at 408-535-4906.

Warm regards,

Councilmember Pierluigi Oliverio
District 6, City of San Jose